REMARKS

Claims 1, 2 and 4-8 are pending in this application. By this Amendment, claims 1, 2 and 4-8 are amended. Claim 3 is canceled without prejudice to or disclaimer of the subject matter recited in that claim. The amendments introduce no new matter. Reconsideration of the application based on the above amendments and following remarks is respectfully requested.

The Office Action, on page 2, rejects claims 6, 7 and 8 under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 6 and 7 are amended to obviate this rejection. Claim 8 was rejected under a theory of inherency from its parent claim 7. Accordingly, withdrawal and reconsideration of the claims rejected under 35 U.S.C. 112, second paragraph is respectfully requested.

The Office Action, on page 3, rejects claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,579,090 to Sasanuma et al. (hereinafter "Sasanuma"). This rejection is respectfully traversed.

Sasanuma discloses a system intended to stabilize image quality by employing a plurality of different calibrations. To achieve this, Sasanuma employs correcting means for correcting the image data and a first controlling means for controlling an image forming condition of the image forming means (see col. 2, lines 11-44 of Sasanuma). In other words, it stabilizes image quality by controlling the image forming means and correcting the image data.

When the control process is begun, patch patterns with maximum density are output to the photosensitive drum 1001, as is shown in Fig. 15. The detection unit 1050 obtains density information of each color. A density conversion circuit 1041 converts the intensity of the light that is reflected, and sets the contrast potentials for the individual colors (see col. 10, lines 30-35 of Sasanuma). A gradation pattern for each color is generated, formed on the

photo-sensitive drum, acquired by the detection units, and converted to density information (see col. 10, lines 36-41). The relationship between the laser output level and the density is stored in memory and correction values set. This process is performed periodically to maintain image quality (see col. 10, lines 56-59). All of the described elements and features of Sasanuma reside in the image forming apparatus, i.e., the printer or copier.

Sasanuma does not teach providing a reference/test image having at least one portion with an intended uniform optical density. Rather, as disclosed in Fig. 8 and col. 10, lines 36-38, Sasanuma uses gradation patterns. This results in relative relationships between the input values, desired image density and output image density as depicted in Figs. 9-11 and 14 of Sasanuma. These patterns cannot reasonably be considered to correspond to a reference/test image having at least one portion with an intended uniform optical density, used to determine spatial uniformity (see Figs. 8-10 of the current application).

Further, Sasanuma does not teach using a color measuring device normally usable to determine spectral aspects of a reference/test image to determine the spatial uniformity of the transmittance and/or reflectance of the reference/test image. Sasanuma uses embedded detection devices specifically designed to ascertain the intensity of the light that is reflected by the pattern images and thereby achieve appropriate maximum image density.

Regarding claim 7, the Office Action asserts that, although Sasanuma specifically teaches placing the measuring device and control units in the printer, it would have been obvious to separate them from the device to be tested because this would allow the testing of machines that do not have such diagnostic systems built in. Such a modification is, however, inconsistent with the purpose and method of operation of Sasanuma. Sasanuma is intended to conduct periodic diagnostics and corrections independently, during operation. Removing these systems from the printer/copier and making them dependent on human control would render the device unsuitable for its intended purpose and impermissibly alter its mode of

operation. As such, the modification of Sasanuma suggested by the Office Action is improper.

For at least these reasons, the applied prior art reference cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in independent claims 1 and 7. Additionally, claims 2, 4-6 and 8 are also neither taught, nor would they have been suggested, by the applied prior art reference for at least the respective dependence of these claims directly or indirectly on independent claims 1 and 7, as well as for the separately patentable subject matter that each of these claims recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 3-8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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